

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

D.C.G. and D.G., individually and as next friend for
their child E.G.,

Plaintiffs,

- against -

NEW YORK CITY DEPARTMENT OF EDUCATION,
NEW YORK CITY BOARD OF EDUCATION,
CHANCELLOR DAVID BANKS, in his official capacity,
and THE CITY OF NEW YORK,

Defendants.

X

**NOTICE OF PLAINTIFFS’
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Civ. No. 23-1337 (JPC) (JW)

X

PLEASE TAKE NOTICE that upon Plaintiffs’ accompanying Statement of Material Facts Pursuant to Local Civil Rules, Rule 56.1, Memorandum of Law in Support of Plaintiffs’ Motion for Partial Summary Judgment, the Declaration of Erin McCormack-Herbert, Esq. in Support of Plaintiffs’ Motion for Partial Summary Judgment and the exhibit attached thereto, the underlying administrative record, as well as all prior pleadings and proceedings, Plaintiffs will move this Court, before the Hon. Jennifer E. Willis, United State Magistrate Judge, at the United States District Court for the Southern District of New York, 40 Foley Square, New York, New York 10007, at a date and time to be determined by the Court, for an order pursuant to Federal Rule of Civil Procedure 56 awarding them partial summary judgment on their claims for reversal of the final administrative decision of the New York State Review Officer dated October 27, 2022 and an award of compensatory education under the Individuals with Disabilities Education Improvement Act (“IDEA”), 20 U.S.C. § 1400, *et seq.*, and such other and further relief as the

Court may deem just and proper.

Dated: August 14, 2023
New York, New York

THE LAW OFFICE OF ELISA HYMAN, P.C.

By: _____ S/
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